


**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

See Fed. R. Civ. P. 6(d); *see also American Realty Trust, Inc. v. Matisse Partners*, No. Civ. A. 3:00–CV–1801, 2003 WL 22083516, at *1 n. 1 (N.D. Tex. 2003) (adding 3 days to the time period provided under Rule 72(b)). Accordingly, pursuant to 28 U.S.C. § 636(b), Rule 72(b), and Rule 6(d), the parties’ objections were due on or before May 18, 2024. However, as of the date of this Order’s issuance, the Court has yet to receive objections to the Magistrate’s Report and Recommendation. Consequently, the parties are not entitled to a *de novo* review by this Court. Having found no plain error, the Court will accept the Report and Recommendation of the Magistrate Judge for the reasons stated therein.

IT IS THEREFORE ORDERED that the Court hereby **ADOPTS** the Report and Recommendation that the United States Magistrate Judge has filed in this cause.

IT IS FURTHER ORDERED that Defendant’s Motion to Dismiss (Dkt. 3), is **GRANTED in part** and **DENIED in part**.

SIGNED this 20th day of May, 2024.



JAMES R. NOWLIN
SENIOR U.S. DISTRICT JUDGE